I hereby certify that on the date specified below, this correspondence is being deposited with the United States Postal Service as first-class mail in an envelope addressed to Box Missing Parts, Commissioner of Patents, Washington, DC 20231.

_____January 30, 2001_____   _____Denise Sheridan_____

Date   Denise Sheridan

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant	: Dean A. Klein	Attorney Docket No.	: 500050.01
Serial No.	: 09/654,115	Group Art Unit	: 2122
Filed	: August 30, 2000	Examiner	: Not yet assigned
Title	: SYSTEM AND METHOD FOR DETERMINING THE CACHEABILITY OF CODE AT THE TIME OF COMPILING		

RESPONSE TO NOTICE TO FILE MISSING PARTS OF APPLICATION

Box Missing Parts
Commissioner of Patents
Washington, D.C. 20231

Sir:

In response to the Notice to File Missing Parts dated October 30, 2000, please find enclosed a Declaration, Election and Power of Attorney and Form PTO-1533 for the above-identified application.

The Declaration is being filed under M.P.E.P. § 601.01(a)(6). The registered attorney signing below hereby states that the application filed in the U.S. Patent and Trademark Office on August 30, 2000 is the application which the inventors executed by signing the enclosed Declaration.

Also enclosed is a General Authorization Under 37 C.F.R. § 1.136(a)(3).

Please find enclosed a Petition for an Extension of Time, extending the time for response from December 30, 2000, to January 30, 2001.

The fees have been calculated as follows:

Basic Fee	$	710
Total Claims (61, 41 extra)		738
Independent Claims (4, 1 extra)		80
Missing Parts Surcharge		130
Total	$	1658
1 mo. Extension-of-Time Fee		110
TOTAL	$	1768

Enclosed is a check in the amount of $1768 for the requisite fees. The Commissioner is hereby authorized to charge any additional filing fees or to credit any overpayment to Deposit Account No. 50-1266. A duplicate copy of this response is enclosed.

Respectfully submitted,
DORSEY & WHITNEY LLP

Edward W. Bulchis
Registration No. 26,847

EWB:dms
Enclosures:
    Postcard
    Check
    Fee Transmittal Sheet (+ copy)
    Form PTO-1533
    Copy of this Response
    Petition for an Extension of Time (+ 2 copies)
    General Authorization
    Declaration
    Election and Power of Attorney

1420 Fifth Avenue, Suite 3400
Seattle, WA 98101
Tel: (206) 903-8800
Fax: (206) 903-8820

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UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON. D.C. 20231
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/654,115	08/30/2000	Dean A. Klein	500050.01

Edward W Bulchis Esq
Dorsey & Whitney LLP
1420 Fifth Avenue Suite 3400
Seattle, WA 98101-4010

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PATENT & TRADEMARK OFFICE
JC144

FORMALITIES LETTER

OC000000005515494

Date Mailed: 10/30/2000

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given TWO MONTHS from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
  Applicant must submit $ 690 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).
- Total additional claim fee(s) for this application is $816.
  - $738 for **41** total claims over 20.
  - $78 for **1** independent claims over 3 .
- The oath or declaration is missing.
  A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of $130 for a non-small entity, must be submitted with the missing items identified in this letter.

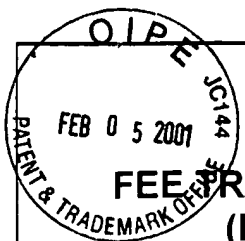- **The balance due by applicant is $ 1636.**

A copy of this notice MUST be returned with the reply.

Customer Service Center
Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

file://C:\APPS\PreExam\correspondence\2_B.xml

02/08/2001 09654115   710.00 OP
00000037 JADD01   80.00 OP
                       738.00 OP
02/08/2001 JADD01   130.00 OP
02 FC:101
03 FC:102
04 FC:103
05 FC:105

10/29/00

FEE TRANSMITTAL SHEET
(FOR FY 2001)

Complete if Known	
Application No.	09/654,115
Filing Date	August 30, 2000
First Named Inventor	Dean A. Klein
Group Art Unit	2122
Examiner	Not Yet Assigned
Atty. Docket Number	500050.01

METHOD OF PAYMENT (Check One)

1. **[X]** The Commissioner is hereby authorized to charge any additional fee required under 37 C.F.R. §§ 1.16 and 1.17 and 1.136(a)(3) and credit any over payments to Deposit Account No.: 50-1266; Deposit Account Name: DORSEY & WHITNEY LLP

2. **[X]** Check Enclosed

FEE CALCULATION

1. BASIC FILING FEE

Large Entity Fee Code	Large Entity Fee ($)	Small Entity Fee Code	Small Entity Fee ($)	Fee Description
101	710	201	355	☐ Utility Filing Fee
106	320	206	160	☐ Design Filing Fee
108	710	208	355	☐ Reissue Filing Fee
114	150	214	75	☐ Provisional Filing Fee

Subtotal (1) $

2. EXTRA CLAIM FEES

	Current Claims	Prior	Extra	Fee	Fee Paid
Total	0 -	20 =	0 x	0 =	$ 0
Ind.	0 -	3 =	0 x	0 =	$ 0
Multiple Dependent Claims			0 x	$ 0 =	$ 0

Subtotal (2) $

Large Entity Fee Code	Large Entity Fee ($)	Small Entity Fee Code	Small Entity Fee ($)	Fee Description
103	18	203	9	Claims in excess of 20
102	80	202	40	Independent claims in excess of 3
104	270	204	135	Multiple dependent Claim
109	80	209	40	Reissue independent claims over original patent
110	18	210	9	Reissue claims in excess of 20 and over original patent

FEE CALCULATION (Continued)

3. ADDITIONAL FEES

Large Entity Fee Code	Large Entity Fee ($)	Small Entity Fee Code	Small Entity Fee ($)	Fee Description	Fee paid
105	130	205	65	Surcharge - Late filing fee or oath	$
127	50	227	25	Surcharge - late provisional filing fee or cover sheet	$
139	130	139	130	Non-English specification	$
147	2,520	147	2,520	For Filing a Request for Reexamination	$
115	110	215	55	Extension for reply within first month	$
116	390	216	195	Extension for reply within 2nd month	$
117	890	217	445	Extension for reply within 3rd month	$
118	1,390	218	695	Extension for reply within 4th month	$
128	1,890	280	945	Extension for reply within 5th month	$
120	310	220	155	Filing a brief in support of an appeal	$
121	260	270	135	Request for oral hearing	$
148	110	248	55	Terminal Disclaimer Fee	$
140	10	240	55	Petition to revive – unavoidable	$
141	1,240	241	620	Petition to revive – unintentional	$
142	1,240	242	620	Utility/Reissue issue fee (+ advance copies)	$
143	440	243	220	Design issue fee (+ advance copies)	$
122	130	122	130	Petitions to the Commissioner	$
123	50	123	50	Petitions related to provisional applications	$
126	180	126	180	Submission of IDS	$
581	40	81	40	Recording each patent assignment per property (times number of properties)	$40
179	710	279	355	Request for Continued Examination (RCE)	$
Other fee (specify)					$

Subtotal (3) $40

Total Amount of Payment: $ 40

Submitted by:

Name: Edward W. Bulchis	Reg. No.: 26,847	Telephone: (206) 903-8800
Signature: *Edward W Bulchis*		Date: January 30, 2001

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PATENT & TRADEMARK OFFICE

FEE TRANSMITTAL SHEET
(FOR FY 2001)

Complete if Known	
Application No.	09/654,115
Filing Date	August 30, 2000
First Named Inventor	Dean A. Klein
Group Art Unit	2122
Examiner	Not Yet Assigned
Atty. Docket Number	500050.01

METHOD OF PAYMENT (Check One)

1. **[X]** The Commissioner is hereby authorized to charge any additional fee required under 37 C.F.R. §§ 1.16 and 1.17 and 1.136(a)(3) and credit any over payments to Deposit Account No.: <u>50-1266</u>; Deposit Account Name: <u>DORSEY & WHITNEY LLP</u>

2. **[X]** Check Enclosed

FEE CALCULATION

1. BASIC FILING FEE

Large Entity		Small Entity		Fee Description
Fee Code	Fee ($)	Fee Code	Fee ($)	
101	710	201	355	[X] Utility Filing Fee
106	320	206	160	[] Design Filing Fee
108	710	208	355	[] Reissue Filing Fee
114	150	214	75	[] Provisional Filing Fee

Subtotal (1) $710

2. EXTRA CLAIM FEES

	Current Claims		Prior		Extra		Fee		Fee Paid
Total	61	-	20	=	41	x	$ 18	=	$ 738
Ind.	4	-	3	=	1	x	$ 80	=	$ 80
Multiple Dependent Claims					0	x	$ 0	=	$ 0

Subtotal (2) $ 818

Large Entity		Small Entity		Fee Description
Fee Code	Fee ($)	Fee Code	Fee ($)	
103	18	203	9	Claims in excess of 20
102	80	202	40	Independent claims in excess of 3
104	270	204	135	Multiple dependent Claim
109	80	209	40	Reissue independent claims over original patent
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FEE CALCULATION (Continued)

3. ADDITIONAL FEES

Large Entity		Small Entity		Fee Description	Fee paid
Fee Code	Fee ($)	Fee Code	Fee ($)		
105	130	205	65	Surcharge - Late filing fee or oath	$130
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142	1,240	242	620	Utility/Reissue issue fee (+ advance copies)	$
143	440	243	220	Design issue fee (+ advance copies)	$
122	130	122	130	Petitions to the Commissioner	$
123	50	123	50	Petitions related to provisional applications	$
126	180	126	180	Submission of IDS	$
581	40	81	40	Recording each patent assignment per property (times number of properties)	$
179	710	279	355	Request for Continued Examination (RCE)	$
				Other fee (specify)	$

Subtotal (3) $240

Total Amount of Payment: $ 1768

Submitted by:

Name: Edward W. Bulchis	Reg. No.: 26,847	Telephone: (206) 903-8800
Signature: *Edward W Bulchis*		Date: *January 30, 2001*
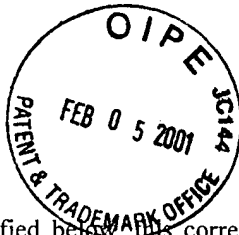
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I hereby certify that on the date specified below this correspondence is being deposited with the United States Postal Service as first-class mail in an envelope addressed to Box Missing Parts, Commissioner of Patents, Washington, DC 20231.

_____   _____
January 30, 2001   Denise Sheridan
Date   Denise Sheridan

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant	: Dean A. Klein	Attorney Docket No.	: 500050.01
Serial No.	: 09/654,115	Group Art Unit	: 2122
Filed	: August 30, 2000	Examiner	: Not yet assigned
Title	: SYSTEM AND METHOD FOR DETERMINING THE CACHEABILITY OF CODE AT THE TIME OF COMPILING		

GENERAL AUTHORIZATION UNDER 37 C.F.R. § 1.136(a)(3)

Box Missing Parts
Commissioner of Patents
Washington, D.C. 20231

Sir:

With respect to the above-identified application, the Commissioner is authorized to treat any concurrent or future reply requiring a petition for an extension of time under 37 C.F.R. § 1.136(a)(3) for its timely submission as incorporating a petition therefor for the appropriate length of time. The Commissioner is also authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account No. 50-1266.

Respectfully submitted,
DORSEY & WHITNEY LLP

Edward W. Bulchis
Registration No. 26,847

EWB:dms

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